

FOR YOUR INFORMATION...



City of Taylorsville
Community Development Department
2600 West Taylorsville Boulevard
Taylorsville, Utah 84118 (801) 963-5400



City of Taylorsville
Information Form

P-5

CONDITIONAL USE

Applying for a Conditional Use Permit

The term “conditional use” refers to a land use which would not be permitted under the normal regulations of a zoning district, however the proposed use may be made acceptable within the zoning district if construction or development of the use complies with specified additional development standards or special conditions provided by the planning commission. The standards or conditions of approval are described on a conditional use permit that remains with the land, provided the standards and conditions of the permit continue to be followed. The conditional use permit is revocable by the city if any of the standards are violated.

Overview:

Conditional use permit (CUP) applications are reviewed by the City of Taylorsville Planning Commission and staff under authority granted by the State of Utah and the Taylorsville City Code (13.06.110, Powers and duties). The Planning Commission is a committee of seven (7) residents of the City of Taylorsville. The Mayor with the advice and consent of the City Council appoints each commissioner plus one alternate member for a three-year term of service. The Taylorsville Planning Commission and staff review CUP applications for compliance with the following City of Taylorsville zoning ordinance:

13.50.090 Conditions of approval. The planning commission shall not authorize a conditional use permit unless the evidence presented is such as to establish:

- A. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood and the community; and
- B. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
- C. That the proposed use will comply with the regulations and conditions specified in this title for such use; and
- D. That the proposed use will conform to the intent of the city general plan.

The application procedure for a conditional use permit is generally a six-step process:

- Step 1. **Initial contact** with a member of the Planning Department to determine basic applicable zoning regulations and application procedures.
- Step 2. **Pre-application conference** with City staff members involved in reviewing, permitting and inspecting construction and other land use activities. For more information regarding this meeting and submittal requirements, please refer to ***Taylorsville Information Form P-4 Applying for Pre-Application Conference***.
- Step 3. **Conceptual review** is an opportunity to communicate to the Planning Commission the proposed land use, approximate scale (i.e. building density, land use intensity, etc.) and general layout of the development request. Conceptual review will also allow the Planning Commission to respond to the applicant and provide direction during the initial design and development stages. *Based on a low level of development complexity or anticipated controversy, the conceptual review step may be waived by the Community Development Director.* The Planning Commission will not make a motion or grant any official approval on the application at this stage in the review process.
- Step 4. **Preliminary review** is designed to further refine the land use proposal and establish a ruling on the requested CUP by the Planning Commission. The Planning Commission may also provide guidance to the applicant or state “conditions” necessary to secure final approval of the permit.
- Step 5. **Technical review** by the City Engineer (or designee) of proposed site plans is to establish compliance with Taylorsville engineering and development standards.
- Step 6. **Final review** of application is to ensure compliance with all City ordinances, established City development standards and all other conditions previously required by the Planning Commission. Non-compliance with city requirements, or unresolved concerns based on “findings of facts” can be grounds for permit denial.

(over)

Submittal Deadline:

All required submittals for a conditional use permit request must be received by the Community Development Department at least *fourteen (14) days prior to desired date of public hearing*. The Planning Commission conducts scheduled public hearings on the second Tuesday of each month (see below for more information). *Incomplete applications may be delayed and not scheduled for a public hearing until completed.*

Meeting Dates:

The City of Taylorsville Planning Commission meets in a regular business meeting at 7:00 p.m. on the second Tuesday of each month (except for holidays). The Planning Commission meets in the City Council Chambers located at 2600 West Taylorsville Boulevard, Taylorsville, Utah. Please contact the Taylorsville Planning Department for specific meeting dates, times and assignment on agenda.

Application Fees:

RESIDENTIAL LAND USE		COMMERCIAL AND INDUSTRIAL LAND USE	
Conceptual Review	\$0.00	Conceptual Review	\$0.00
Preliminary Review	\$100.00 plus \$10.00 per residential unit	Preliminary Review	\$100.00 plus \$50.00 per acre
Final Review	\$250.00 plus \$20.00 per residential unit	Final Review	\$250.00 plus \$100.00 per acre
Salt Lake County Fire Department CUP Review (for residential or commercial)		\$75.00	

Items to be Submitted¹:

Conceptual Review Application.

- ☐ Completed Conditional Use Permit (☒ Conceptual Review) application with property owner's affidavit (i.e. a written statement regarding property ownership made before a notary). For your convenience, an affidavit form is provided on the back of the CUP application.
- ☐ If the property owner is to be represented by an "agent" during meetings with the city, please complete and submit the Agent Authorization form, which is also provided on the back of the CUP application.
- ☐ Three (3) copies of schematic site plan (if applicable to permit request). Site plan should include the following information:
 - ☐ Accurate dimensions of subject property drawn to scale (i.e. scale is 1"=20', 1"=30', etc.) with a north arrow. Sheet size should be a minimum of 18" x 24".
 - ☐ Location of existing and proposed buildings, parking areas, landscaping, sidewalk, curb and gutter, etc.
 - ☐ Location of existing property features such as streets, canals, hillsides, etc.
- ☐ Submit one reduced 11" x 17" copy of site plan; 8.5" x 11" is acceptable if information is legible.
- ☐ Any other information as deemed applicable by the applicant.

Preliminary Review Application.

- ☐ Completed Conditional Use Permit (☒ Preliminary Review) application.
- ☐ Submit property owner's affidavit (i.e. a written statement regarding property ownership made before a notary) provided on back of the CUP application form (if not already submitted).
- ☐ If the property owner is to be represented by an "agent", please complete and submit the Agent Authorization form provided on back of the Conditional Use Permit application (if not already submitted).
- ☐ Payment of Preliminary Application fee.
- ☐ Payment of Salt Lake County Fire Department CUP Review fee².
- ☐ List of property owner names, mailing addresses, and property identification numbers of all property owners within 400 feet of the subject property. Property owner addresses may be obtained from the Salt Lake County Recorder's office located at 2001 South State Street, Room N2300, Salt Lake City, Utah. *Note: Applications for wireless communication structures require a 600-foot notification radius.*
- ☐ Self adhesive mailing labels, typed or machine printed with each property owner's name and address as identified above (no hand written labels please). *Note: Duplicate listings should be omitted.*
- ☐ Plain white envelopes (size 10 business envelope measuring 4" x 9½") with postage for each property owner as identified above. *Note: Labels should not be placed on envelopes.*
- ☐ Twelve (12) copies of the site plan. Site plan should be submitted on a minimum sheet size of 18" x 24", drawn to scale (i.e. scale is 1"=20', 1"=30', etc.), and should include the following:
 - ☐ North arrow, scale and date of drawing.
 - ☐ Property lines with dimensions, adjoining streets, right-of-ways, easements, and waterways, existing mature trees, etc.

¹ If available, please submit all plans, building elevations and renderings in an electronic format acceptable to the City (i.e. AutoCAD for Windows).

² Fee must be paid in the form of a check made payable to Salt Lake County Fire Department.

- ☐ Location of curbs, gutters, sidewalks, driveways, loading facilities, entry and exits, parking, etc.
- ☐ List calculations for required and proposed parking.
- ☐ Show landscaped areas and calculate percentage of site landscaping; show comparison with amount required by applicable zoning ordinances.
- ☐ Location and dimensions of all existing and proposed structures including signs.
- ☐ Notes indicating total square footage of all structures listed by use.
- ☐ Decks, porches, or other building elements that extend past foundation of building(s).
- ☐ Fencing or walls noted with proposed height and materials to be used.
- ☐ Location and height of any overhead power, communication and transmission lines and all utility easements that affect subject property.
- ☐ Proposed use of the building(s) must be shown on site plan.
- ☐ Describe "type of construction" and intended "occupancy rating" for fire department review.
- ☐ Provide location of existing and proposed exterior lighting patterns and devices.
- ☐ One (1) reduced 11" x 17" copy of site plan; 8.5" x 11" is acceptable if information is legible.
- ☐ One (1) colored site plan drawn to scale on a minimum sheet size of 18" x 24".
- ☐ Eight (8) reduced 11" x 17" colored site plans.
- ☐ Two (2) copies of site plan showing existing and proposed grading contours at 2' intervals.
- ☐ If proposal includes new construction, or exterior remodel of an existing building, please provide two (2) copies of proposed building elevations. Building elevations are to be drawn to scale on a minimum sheet size of 18" x 24". Scale should be of sufficient size to illustrate details of architectural design.
- ☐ One (1) colored building elevation (drawn to scale) on a minimum sheet size of 18" x 24".
- ☐ Eight (8) colored building elevation plans reduced to 11" x 17" sheet size.
- ☐ Building material board is required for all new construction, exterior remodeling or additions unless the Community Development Department Director waives this requirement. Material board must include mounted samples of actual exterior materials and colors of proposed buildings and structures (i.e. roof, wall, trim, site furnishings, exterior lighting elements and any other significant exterior material). The material board should be 8½" x 11" or larger.

Technical Review Application.

The following checklist is a summary of submittal requirements for "technical review" of the site plan by the City Engineer (or designee). For more detailed information, please refer to the City of Taylorsville *Engineering Development Standards Manual*, which is available from the Community Development Department for a \$35.00 fee. Sheet sizes may vary (18" x 24" typical), but information must be legible and drawn to scale:

- ☐ Title sheet with location map (4 copies).
- ☐ Site plan(s) or project overview map(s) with details and corrections as required through preliminary approval. Documents should illustrate existing conditions and proposed improvements (4 copies).
- ☐ Storm drain and grading plan with profile sheets as required (4 copies)³.
- ☐ Storm drain calculations (2 copies).
- ☐ Detail sheet or references to the Taylorsville *Engineering Development Standards Manual* (6 copies).
- ☐ Written approvals from applicable regulatory agencies or utilities (i.e. UDOT, Taylorsville-Bennion Water Improvement District, etc.) or other affected parties (2 copies).
- ☐ Subdivision or dedication plat – if applicable (4 copies).
- ☐ Typical street cross section(s) to be used – if applicable (4 copies).
- ☐ Road plan and profile sheet(s) – if applicable (4 copies).
- ☐ Traffic study – if required (2 copies).

Final Review Application.

The Community Development Director is authorized to grant final approval of a conditional use permit application after all of the conditions and requirements which are necessary for the final approval have been met. However, the Planning Commission may require as a condition of preliminary approval that a conditional use permit application be brought before the planning commission for consideration of final approval (13.50.100, *Preliminary and final approval of conditional use applications*).

Submittals for final review will not be considered complete or granted final approval until all outstanding issues related to the development request are resolved and noted in plan form and accompanying documents. For final review, please submit the following information:

- ☐ Completed Conditional Use Permit (☒ Final Review) application form.
- ☐ Payment of Final Review fee.
- ☐ Four (4) full-size drawings of final site plan and elevations with all required corrections. Drawings must be scalable and of sufficient size to be legible.
- ☐ One (1) 11" x 17" copy of each final site and elevation plan. Plans must be legible and reproducible.

³ City Engineer may require an additional copy of information if development has impact on Salt Lake County Flood Control.

What Will Happen:

- ❑ Staff member of the Community Development Department will receive the application and fee. City staff will assign file number, record fee and provide a receipt for payment of fee.
- ❑ Application will be assigned to a member of the Planning Department to verify completion of application. *Incomplete applications may not be scheduled for public hearing and will delay request.* Staff member will contact applicant and request any missing or needed additional information.
- ❑ Community Development Director will prepare Planning Commission agenda and schedule all completed applications that require public hearing and Planning Commission review.
- ❑ Notices of public hearing (if required) will be mailed to all property owners within required distance from subject property by city staff at least seven (7) days prior to date of meeting.
- ❑ Staff will prepare a Planning Commission Staff Report, which is delivered to all members of the Planning Commission at least four days before the public meeting.
- ❑ Staff will provide a copy of the staff report to the applicant prior to the meeting; delivery of the staff report will be by fax or mail. Applicant may also request copy of the staff report prior to meeting.
- ❑ During the scheduled public hearing, the applicant, the applicant agent, and all other members of the public who desire to ask questions, state concerns or provide oral testimony either for or against the application are invited to do so. All comments are recorded and considered by the Planning Commission. Following the public hearing, the Planning Commission may:
 - **Approve application as presented.** If the application is approved, the applicant must then comply with all applicable city ordinances and development plans as proposed.
 - **Approve application with conditions.** Following Planning Commission approval, the applicant must comply with all applicable city ordinances and proposed development plans with the additional conditions of Planning Commission approval.
 - **Continue or “table” application for further study.** If the application is continued for further study and review, Staff will reschedule the application for Planning Commission consideration once the application is ready for Planning Commission review.
 - **Deny application based on “findings of facts” gathered from Planning Commission Staff Report and other applicable discovery information.** If the application is denied, applicant may appeal decision (as stated below).
- ❑ Following the Planning Commission ruling, the applicant must complete the entire application process, including the payment of all required fees, prior to city issuance of the actual conditional use permit and subsequent building permit or business license.

Appeal of Planning Commission Decision:

Anyone not satisfied with a decision of the Planning Commission, may appeal the decision to the City Council. The appellant may be the applicant, an adjacent property owner, an effected resident, or even the City of Taylorsville itself. Appeals must be in writing and received by the Community Development Director within ten (10) days of the Commission’s decision. Appeals must contain all pertinent documents and state reason(s) for the appeal. *Payment of a \$35.00 fee is required at the time of filing.*

Appeal of Community Development Director Decision:

Any person shall have the right to appeal a decision of the Community Development Director to the Planning Commission by filing a letter with the Planning Commission within ten (10) days of the Community Development Director’s decision, stating the reason for the appeal and requesting a hearing before the Planning Commission at the earliest regular meeting of the Commission.

Conditional Use Permit Issuance:

Following documented compliance with all required conditions and applicable city ordinances the conditional use permit will be issued in the form of a letter. The letter will state the conditions of permit approval. The permit will be written by a member of the Community Development Department and mailed to the applicant. This document should be permanently retained within the records of the property owner. *Conditional use permits are transferable to subsequent property owners, however all conditions of the CUP must be maintained in order for the permit to remain valid and in effect.*

Expiration of Conditional Use Permit Approval:

Approval of a conditional use permit application by the Planning Commission or the Community Development Director will expire 24 months after the date of the approval decision unless the applicant has obtained the conditional use permit and a building permit, where required, for the use within the allotted 24-month period following the approval. *The date of the approval decision shall be the date of the preliminary approval decision* where the application approval process includes both a preliminary and final approval. A 12-month extension can be obtained subject to paying an extension fee equal to one (1) times the original filing fee.